

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JAMIE LEE ANDREWS, as	*
Surviving Spouse of	*
MICAH LEE ANDREWS, Deceased,	*
and JAMIE LEE ANDREWS, as	CIVIL ACTION FILE
Administrator of the Estate of	*
MICAH LEE ANDREWS, Deceased,	*
Plaintiff,	*
	*
v.	*
	*
AUTOLIV JAPAN, LTD.,	*
Defendant.	*

FACTS STIPULATED BY THE PARTIES

Plaintiff files the following 37 factual stipulations. The parties agreed to the first ten stipulations before filing the pretrial order in March 2019. After filing the pretrial order, the parties agreed to a bench trial in this case. Ahead of that bench trial, the parties have agreed to additional factual stipulations. All factual stipulations that the parties have agreed to are contained herein.

**Facts Stipulated by the Parties
in the March 8, 2019 Pretrial Order [Doc 358-4]**

1. Mr. Andrews was wearing his seatbelt at the time of the accident.
2. The speed limit on I-575 North where the accident occurred was 65 mph.
3. The vehicle's change in velocity (that is, the "delta V") when it hit the trees was approximately 35 mph, which should have caused the front driver-side airbag to activate and deploy.
4. Mr. Andrews' head hit the steering wheel during the accident.
5. Mr. Andrews was 38 years old at the time of his death.
6. Mr. Andrews is survived by his widow Jamie Lee Andrews and their daughter Sarah Cadence "Cady" Andrews, who was four years old at the time of the wreck. Cady is now ten years old.
7. At the time of his death, Mr. Andrews' life expectancy was another 36.18 years.
8. The total amount of medical expenses arising from Mr. Andrews' accident is \$6750.
9. The total amount of funeral charges for Mr. Andrews arising out of the April 12, 2013 accident is \$12,593.40.
10. The internal designation code for the 2004 through 2005 Mazda 3 is J48C.

Additional Facts Stipulated by the Parties on August 31, 2020 [Doc. 477]

11. The defendant in this case, Autoliv, is a manufacturer of components used in cars made by many automakers.
12. On April 12, 2013, Mr. Andrews left work at the Georgia Aquarium in his 2005 Mazda3 and headed for home.
13. Mr. Andrews was wearing his seatbelt properly at the time of the wreck.
14. The speed of Mr. Andrews' car when it hit the trees was about 35 mph.
15. The principal direction of force was 10-15 degrees from the left of straight ahead, which is roughly the 11:30 position on a clock.¹
16. Defendant Autoliv manufactured the drivers' seatbelt assembly in Mr. Andrews' Mazda3 in accordance with Mazda's design specifications.
17. Mr. Andrews' seatbelt paid out approximately 20 inches in the April 12, 2013 wreck.
18. Mr. Andrews' head hit the steering wheel during the collision.
19. Weather played no factor in the April 12, 2013 wreck.
20. A "seatbelt retractor" is a device that stores, pays out, and retracts seatbelt webbing.

¹ This pleading corrects the spelling of the word *principal* in Doc. 477.

21. Inside the seatbelt retractor is a spindle, and the seatbelt webbing is wound around this spindle.
22. A “torsion bar” is one kind of load limiter.
23. A “torsion bar” is a metal bar around which the seatbelt webbing is wrapped.
24. In a collision the torsion bar twists to allow seatbelt webbing to come off the spindle.
25. How easily a torsion bar twists and allows seatbelt webbing to pay out depends on the torsion bar’s deployment threshold.
26. At the time Autoliv sold Mazda the seatbelt in Mr. Andrews’ car, Autoliv had manufactured another seatbelt retractor with a load limiting threshold higher than the one in Mr. Andrews’ seatbelt.
27. A “stop” is a device added to the seatbelt retractor to limit the amount of seatbelt webbing that pays out of the retractor in a collision.
28. The retractor used in Mr. Andrews’ Mazda3 was Autoliv’s “R27LL” retractor.
29. The seatbelt assembly that Autoliv supplied to Volvo for the driver’s seat of the 2004 through 2009 model year Volvo S40 had a torsion bar with a deployment threshold of 6.0 kilonewtons.

30. The 2004 and 2005 Mazda3 used the same seatbelt assembly in the driver's seat position.

Additional Facts Stipulated by the Parties on September 14, 2020

31. The internal designation code for the 2007 to 2009 Mazda3 cars is J48L.
32. Autoliv supplied seatbelt assemblies and airbag modules for the J48L program—i.e., the 2007 through 2009 Mazda3 cars.
33. Autoliv Japan Ltd.'s current net profit in 2010 was \$61,163,569.
34. Autoliv Japan Ltd.'s current net profit in 2011 was \$40,735,926.
35. Autoliv Japan Ltd.'s current net profit in 2012 was \$20,658,765.
36. Autoliv Japan Ltd.'s current net profit in 2013 was \$39,297,426.
37. Autoliv Japan Ltd.'s current net profit in 2014 was \$41,353,070.

Respectfully submitted this 14th day of September, 2020.

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF COMPLIANCE

Pursuant to Local Rules 5.1(B) and 7.1(D), I hereby certify that the foregoing filing complies with the applicable font and size requirements and is formatted in Times New Roman, 14 point font.

s/ James E. Butler, Jr.
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CERTIFICATE OF SERVICE

This is to certify that on September 14, 2020, I electronically filed FACTS STIPULATED BY THE PARTIES with the Clerk of the Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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This 14th day of September, 2020.

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